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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,926	04/12/2004	Sheng-Hsiung Lin	2450-0666PUS1	2119

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EXAMINER

SZUMNY, JONATHON A

ART UNIT	PAPER NUMBER
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3632

DATE MAILED: 04/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/821,926

Applicant(s)

LIN, SHENG-HSIUNG

Examiner

Jon A Szumny

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 4-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 4-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

This is the second office action for application number 10/821,926, Angularly Adjustable Keyboard Support Bracket, filed on April 12, 2004.

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Objections

Claims 8 and 12 are objected to because of the following informalities:

In line 2, "separately" should be ~~--separated--~~.

Appropriate correction is required.

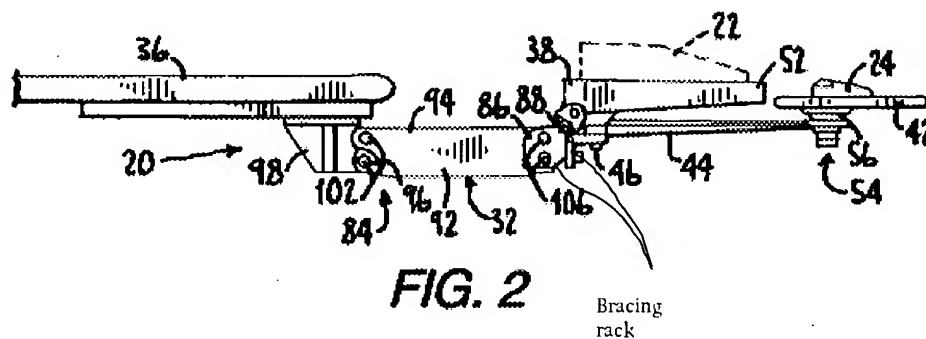
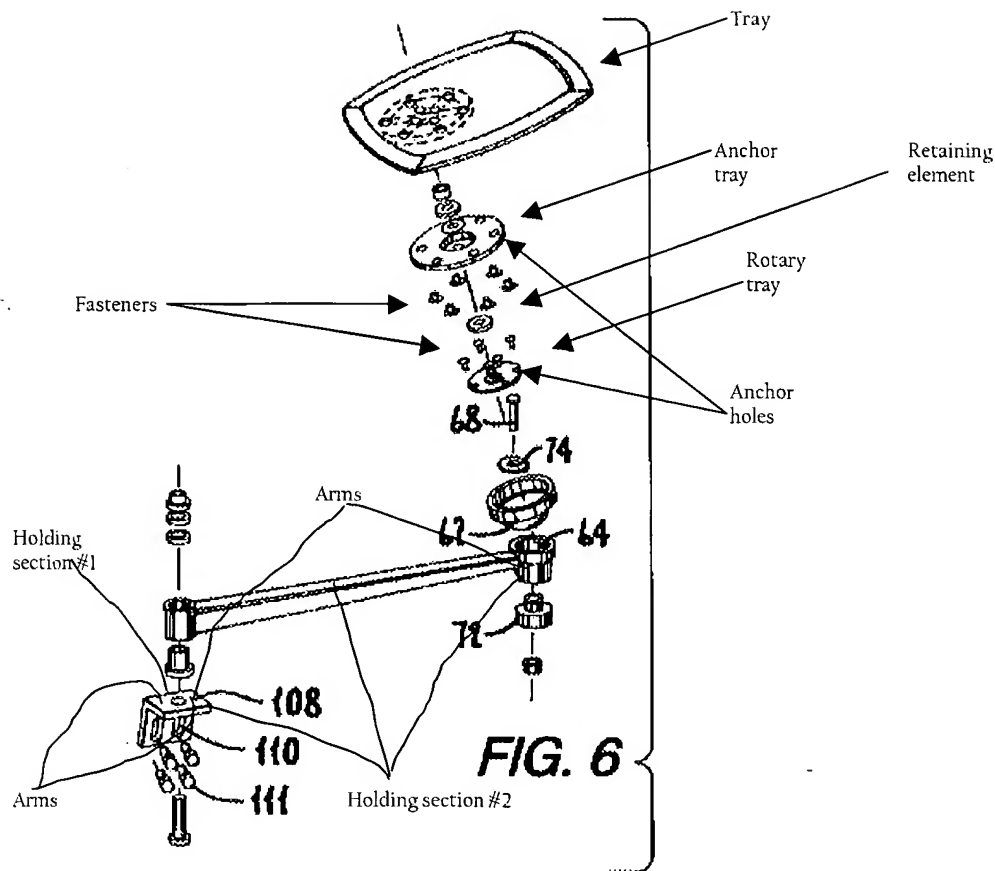
Claim Rejections - 35 USC § 112

Claims 6 and 10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 6 and 10 recite the limitation "the bracing section" in line 2. There is insufficient antecedent basis for this limitation in the claim. It appears "the bracing section" should read ~~--~~ the bracing rack~~--~~, and the Examiner will assume such for the purposes of this office action.

Claim Rejections - 35 USC § 103

Claims 1 and 4-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over McAllister et al. '034 in view of U.S. Patent number 4,616,798 to Smeenge et al.



Regarding claims 1, 6, 9 and 10, McAllister et al. '034 discloses an angularly adjustable support bracket (figures 2-6) comprising a mounting rack (98) attached to a desktop, a movable arm (32) coupled with the mounting rack through a first pin (102) and a bracing rack (above)

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coupled on another end of the movable arm through a second pin (106); wherein the bracing rack includes a holding section (above, holding section #1) at a top of the bracing rack; wherein the bracket includes a tray (above); wherein a rotary mechanism is attached to and held by the holding section; wherein the rotary section is located between the holding section and the tray; wherein the rotary mechanism includes an anchor tray (above), a rotary tray (above), and a retaining element (above) located between the anchor tray and the rotary tray, wherein the tray is fastened to the anchor tray, wherein the rotary tray is fastened to the holding section (via arm 44), wherein the anchor tray, the rotary tray and the retaining element having respectively a hole aligned along an axis (see above) that receives a bolt (112); wherein the rotary mechanism inherently allows a tray to swivel to a left side and a right side to an angle relative to the holding section of the bracing rack and the rotary tray to provide users with a desired operating angle, wherein the holding section of the bracing rack/section is horizontally non-pivotable to the movable arm (inherently, with holding section #1 above), wherein the tray is inherently a keyboard tray (a “keyboard tray” is read as a “tray for a keyboard”, so clearly, the “keyboard tray” of McAllister et al. ‘034 could function as a “keyboard tray”), wherein the holding section includes two arms (above) separated from each other.

However, McAllister et al. ‘034 fails to specifically teach the bolt to include a nut. Nevertheless, Smeenge et al. ‘798 teaches an angularly adjustable support bracket wherein an anchor tray is rotatably connected to a rotary tray via a bolt (55) being inserted through aligned holes with a nut (53). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the bolt of McAllister et al. ‘034 with a bolt and nut as in Smeenge et al. ‘798 so as to provide for a more secure pivotal connection in addition to the fact that doing so is well known in the art:

Moreover, regarding claims 7 and 11-13, the “nut engaged with the bolt” is interpreted to mean the combination of the bolt and the nut, so indeed, it is located at a bottom of the rotary tray.

Regarding claims 4, 5 and 8, McAllister et al. '034 alternatively teaches a holding section (as in holding section #2 above), wherein the rotary tray and the anchor tray respectively have first and second anchor holes (above) that each receive a fastening member (above) to run through the holding section of the bracing rack and the tray; wherein during swiveling of the tray relative to the holding section, the rotary tray is fixed and non-movable relative to the holding section; wherein the holding section includes two arms (above) separated from each other.

Response to Arguments

Applicant's arguments filed March 29, 2005 have been fully considered but they are not persuasive.

Applicant's arguments with respect to claims 1 and 4-13 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**

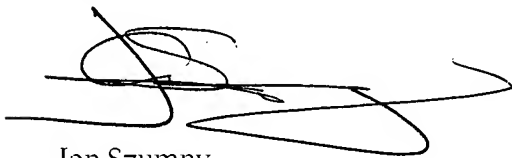
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MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jon A Szumny whose telephone number is (571) 272-6824. The examiner can normally be reached on Monday-Friday 8-4.

The fax phone number for the organization where this application and proceeding are assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-3600.

A handwritten signature in black ink, appearing to be 'Jon Szumny', with a stylized, sweeping flourish extending to the right.

Jon Szumny
Patent Examiner
Technology Center 3600
Art Unit 3632
April 12, 2005